

ITA enjoys the support of a membership including more than 2,100 licensed two-way land mobile radio communications users, private mobile radio service (PMRS) oriented radio dealer organizations, and the following trade associations:

Alliance of Motion Picture and Television Producers
Aeronautical Radio, Inc.
National Propane Gas Association

In addition, ITA is affiliated with the following independent market councils: the Council of Independent Communications Suppliers (CICS), the Taxicab & Livery Communications Council (TLCC), the Telephone Maintenance Frequency Advisory Committee (TELFAC), and USMSS, Inc.

ITA's extensive involvement with the private land mobile industry expands into many services including: application preparation for public safety and first responders; coordination and engineering services for industrial/business users, commercial licensees under Part 90 of the Commission's rules, and PMRS radio dealers; protection of petroleum service users through a contractual agreement with the American Petroleum Institute; an industry liaison for equipment manufacturers and end users, as well as band managers and end users; the Commission's first line of post-licensing, interference resolution; and various other services.

II. Background

On February 25, 2003, the Commission released its *Second Report and Order and Second Further Notice of Proposed Rulemaking* soliciting comments on a date certain for the migration of land mobile licensees to 6.25 kHz technology and seeking suggestions on any other relevant compliance dates.³

² FNPRM at ¶ 27.

³ This proceeding is not clear on the use of 6.25 kHz equivalent efficiency technologies that operate on channel widths greater than 6.25 kHz. The Commission should retain this

III. Discussion

ITA applauds the Commission for its forward-looking efforts to promote spectral efficiency in the private land mobile radio services. Land mobile licensees operate in crowded, shared environments, and as such are generally supportive of any effort increasing spectral efficiency, decreasing congestion, and allowing for more access, as long as their operational needs are still fully met. However, issuing a *Report and Order* with a date in which land mobile licensees would be required to operate at 6.25 kHz bandwidth at this juncture would be counterproductive for the industry, and thus, not in the public interest.

ITA believes that the current migration to 12.5 kHz technologies will serve as a valuable resource, through necessary experience, in outlining a future date-certain for 6.25 kHz operations. In the event that unexpected issues and problems arise in the 12.5 kHz migration, these issues could be avoided through appropriate planning in the 6.25 kHz migration. After licensees experience their own 12.5 kHz migration they will have valuable experiences to offer during commenting periods on the proposed 6.25 kHz migration. In 2001, the LMCC wisely noted,

“the Commission should carefully monitor the transition to 12.5 kHz equipment before considering a date certain for mandatory migration to 6.25 kHz equipment. After a 12.5 kHz transition has been implemented and its progress monitored, the Commission and the private land mobile community may offer an informed opinion on the notion of a date certain for 6.25 kHz migration.”⁴

MRFAC echoed this sentiment: “Insofar as any further narrowbanding is concerned (*i.e.* to 6.25 kHz), MRFAC urges that this question be deferred until 2010 so that industry and the Commission can evaluate the effects of the conversion to 12.5 kHz. Any 6.25 kHz conversion

efficiency option in any 6.25 kHz migration requirement.

⁴ LMCC Comments at p. 4 (March 5, 2001).

Order at this point would be entirely premature and unwarranted.”⁵ These statements still hold true; the knowledge gained from managing and overcoming problems in the 12.5 kHz migration would serve as a valuable blueprint for how or how not to proceed with the 6.25 kHz migration.

For years licensees have been anticipating and preparing for the Commission to release a date-certain for the migration to 12.5 kHz technologies and now, with what seems to be no regard to how well the 12.5 kHz migration proceeds, the Commission is considering an Order announcing the subsequent 6.25 kHz migration. ITA is concerned that licensees will not allocate the financial or labor resources necessary to upgrade or update equipment associated with the 12.5 kHz migration, knowing full-well that the Commission is creating a date-certain for a second migration to 6.25 kHz technologies. This layered scheduling, in turn, may lead to land mobile services having a *de facto* intermingling of 25 kHz, 12.5 kHz, and 6.25 kHz technologies until the final 6.25 kHz migration deadline draws closer to an end.⁶ ITA, therefore, urges the Commission to allow licensees to begin the 12.5 kHz migration before embarking on a 6.25 kHz migration schedule.

As seen with the 12.5 kHz migration, availability of the appropriate equipment was an important factor in establishing the migration timetable.⁷ ITA urges the Commission to do the same with the 6.25 kHz migration and rely on the availability of equipment, proven in the real

⁵ MRFAC Comments at p. 3 (March 5, 2001).

⁶ It should be noted that many outside factors cause events and deadlines to change, and it is likely that a date-certain for 6.25 kHz migration will also change. Only two years ago, PCIA had suggested January 1, 2011 as the deadline for 6.25 kHz migration, which is an example of how dramatically events change, considering the end of 12.5 kHz migration, under the current rules, would not be complete until January 1, 2018. *See*, Comments of PCIA at p. 4. (March 5, 2001) “Initially, PCIA advocates a January 1, 2011 mandatory deadline to 6.25 kHz (or equivalent) equipment. In adopting such a rule, however, the Commission should recognize that it may need to revisit that date in the future.” *See also*, FNPRM at p. 2, outlining the 12.5 kHz migration schedule.

⁷ FNPRM at ¶ 6.

world, as a contributing factor in mandating a 6.25 kHz migration date-certain. Forecasting the development of a technology that has not yet become available can be quite difficult. In the instant case, ITA believes that the Commission should wait for 6.25 kHz equipment to become available before establishing a date-certain for 6.25 kHz operations. The availability of 6.25 kHz equipment (or even an idea when 6.25 kHz equipment will become available) remains a key component to implementing any narrowband migration schedule. One prominent equipment manufacturer in the PLMR services, agrees, stating, “it is premature for the Commission to establish a date-certain for existing or new users to migrate to 6.25 kHz (or equivalent) technologies. This issue should be deferred at least until the time when 6.25 kHz (or equivalent) technologies are readily available for purchase in these specific bands.”⁸ ITA agrees; the Commission should permit 6.25 kHz technology to develop and be fully tested and proven before mandating a 6.25 kHz date-certain.

The initial intent of migrating land mobile licensees to narrowband operations was to increase spectral efficiency in these services; however, ITA is concerned that a premature release date for the upcoming 6.25 kHz migration may have a negative effect on incumbents in the land mobile bands, especially with respect to their current transition to 12.5 kHz technology. Thus, ITA recommends that the Commission revisit the 6.25 kHz transition after gaining valuable experience from the 12.5 kHz conversion and after 6.25 kHz equipment becomes available in the land mobile market.

⁸ Motorola Comments at p. 7 (March 5, 2001), *See also*, Petition for Reconsideration and Clarification of Motorola, Inc., (August 18, 2003), at p. 11. “In Motorola’s view, it is not logical for the FCC to conclude that it will need to adopt a date-certain for the 6.25 kHz transition at the same time that it imposes a multi-year schedule to amortize their new 12.5 kHz systems, the likely timeframe for a 6.25 kHz transition is well beyond Motorola’s – and the Commission’s – ability to forecast or envision the relevant market and regulatory forces that will be imposed on private wireless users.”

IV. Conclusion

ITA commends the Commission for its efforts in promoting spectral efficiency in the land mobile services through its forward looking policies, but believes the Commission should postpone its decision to set a date-certain for the migration of land mobile licensees to 6.25 kHz technologies. ITA, therefore, urges the Commission to use the current 12.5 kHz migration as a guide for any future 6.25 kHz conversion, and further wait until 6.25 kHz technology becomes available in the land mobile market before issuing such a decision.

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